



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,667	12/21/2001	John K. Gallant	RIC01016	3681
25537	7590	06/06/2007		
VERIZON PATENT MANAGEMENT GROUP 1515 N. COURTHOUSE ROAD SUITE 500 ARLINGTON, VA 22201-2909			EXAMINER THIER, MICHAEL	
			ART UNIT 2617	PAPER NUMBER
			NOTIFICATION DATE 06/06/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

Office Action Summary

Application No.

10/036,667

Applicant(s)

GALLANT ET AL.

Examiner

Michael T. Thier

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64, 66-68 and 75-80 is/are pending in the application.
- 4a) Of the above claim(s) 18-26 and 52-60 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17, 27-51, 61-64, 66-68, and 75-80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/10/2006 have been fully considered but they are not persuasive.

Applicant continues to argue the motivations of the combinations of references in the rejection.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case the motivations are all clearly shown. The examiner would also like to note that the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). The previous rejection contained response to arguments that explained the motivations for the combinations being argued.

The examiner would like to note that it seems the applicant is continuing to argue nearly all the arguments from the previous remarks dated 4/26/2006, and the examiner would like to point out that these arguments were responded to in the office action mailed 7/11/2006.

The examiner would like to respond to the newly added arguments which were not provided in the previous remarks.

Applicant argues, "Nowhere does Riggins disclose or suggest performing a hash function based on a username and password...Riggins discloses using a hash of the user's password."

In response to applicant's arguments, the examiner respectfully disagrees. In column 10 line 62 through column 11 line 13, Riggins explains the global server uses the user's password, hash of the user's password or user's public keys to verify the identity of the user. Specifically see column 11 lines 5-12, where it is also explained that the use of the user's password, hash of the user's password or user's public keys to verify the identity of the user, is just an example of such user information (i.e. "For example, the global server 920 may retrieve and use user's information 960 such as the user's password, hash of the user's password or user's public keys")

As it was previously explained in the examiners last response, Riggins is merely explaining that using the hash of the user's password is **an example of the type of information that can be used**. The rejection of the claims containing this limitation were made in a 103 obvious type rejection, and therefore since the hash of the user's password was explained as merely an example, one of ordinary skill in the art would

have found it obvious to use a hash of the **user name and password**, rather than just the password. This is a well-known idea in the communications art that pertains to providing access to systems, information, etc, based on the user of the device (i.e. authenticating a user). Therefore, the limitation can be read on by this reference.

Applicant argues that the "...examiner did not provide any evidence that either Hesselink et al. or Eastman disclose or suggests completing the call based on existence of the server identifier in a security header..."

In response to the applicant's arguments the examiner respectfully disagrees. In the previous rejection, the examiner never specifically asserted that either Hesselink or Eastman taught this limitation independently. It was explained that Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); **and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.**

Therefore, the examiner shows that Innes teaches completing the call if the header is detected. Hesselink and Eastman were merely provided to show the

Art Unit: 2617

obviousness of a call request message that contains a header including a server ID to identify the server.

Applicant further argues, “D’Amico et al. and Innes do not disclose or suggest a processor to check the call request message for existence of a security header appended to the call request message, the security header including a server identifier identifying a server that forwarded the call request message.”

In response to applicant’s arguments, the examiner respectfully disagrees. The examiner previously explained that Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and **transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol.** Innes teaches that the client equipment will check for the caller id of the server in order to identify it, which reads on the server identifier that forwarded the call request message.

One of ordinary skill in the art would have found it obvious that the client equipment would have to have a processor of some sort in order to complete the call if the caller id, i.e. a header including a server identifier, is detected.

Applicant further argues, “Jordan does not disclose (and neither do any of the other references for that matter) a first authentication process that is performed based on a username and password associated with the device...”

In response to applicant's arguments, the examiner respectfully disagrees. Jordan teaches in par. 35 teaches that the call initiation equipment can be a telephone. Then in par. 37 he teaches that the call initiation equipment needs to be authenticated (with identification). Finally in par. 38 he explains that the authentication information that will authenticate the call can vary in response to the request. Jordan may not distinctly disclose that the information be a username and password, however, one of ordinary skill in the art would have understood it to be obvious to use a username and password when authenticating a telephone. This idea is a well-known and obvious feature in the wireless communication art, and since Jordan clearly teaches authentication of a telephone, and that the authentication information can be of different types, the limitation being argued is obvious to one of ordinary skill in the art.

Election/Restrictions

2. Claims 18-26 and 52-60 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 11/2/2005.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-5, 9-10, 61, 75, 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Riggins (6,766,454).

Consider claims 1, 5, 61, 75, 80. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico further teaches the idea that the billing tag identifies the authentic originating client as a party responsible for paying for the call in column 27 line 57 through column 29 line 45. First, see specifically column 27 lines 58-61, where it is explained that the identity of the calling party must be known to the subject of the system in order for the calling party to be charged for the call. The system then checks the VIP table (i.e. searching the database to find a

Art Unit: 2617

predetermined client billing tag). If the client is not listed in the VIP table, and since the identity of the caller must be known, the originating client is then notified to be the party responsible for paying for the call.

D'Amico does not teach challenge a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself.

Riggins teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device performs a first authentication process on a user and a password associated with the device to generate a first authentication result as a result of authenticating itself (see the entire abstract; a hash of the user's password, column(s) 10, line(s) 62 through column(s) 11, line(s) 13); authenticating the call request message by performing a second authentication process based on the username and password associated with the device to generate a second authentication result and comparing the second authentication result to the first authentication result (i.e., the global server uses the user's password, hash of the user's password or user's public keys to verify the identity of the user, column(s) 10, line(s) 62 through column(s) 11, line(s) 13) for the purpose of securing access to services in a computer network (column(s) 1, line(s) 25-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Riggins into the teachings of D'Amico for the purpose mentioned above.

Consider claim 4. Riggins further teaches the step of authenticating includes performing a calculation using a hash algorithm (column(s) 10, line(s) 62 through column(s) 11, line(s) 13).

Consider claims 9-10. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

5. Claims 2-3, 6-8, 11-14, 27-29, 31-32, 34-37, 62-63, and 76-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over the grounds of rejection as applied to claims 1 and 61 above and further in view of Faccinn et al (US2002/0127995).

Consider claims 2-3, 11, 27-29, 31-32, 36-37, 62-63, and 76-78. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach challenge a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself. D'Amico further teaches the idea that the billing tag

Art Unit: 2617

identifies the authentic originating client as a party responsible for paying for the call in column 27 line 57 through column 29 line 45. First, see specifically column 27 lines 58-61, where it is explained that the identity of the calling party must be known to the subject of the system in order for the calling party to be charged for the call. The system then checks the VIP table (i.e. searching the database to find a predetermined client billing tag). If the client is not listed in the VIP table, and since the identity of the caller must be known, the originating client is then notified to be the party responsible for paying for the call.

Riggins teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device performs a first authentication process on a user and a password associated with the device to generate a first authentication result as a result of authenticating itself (see the entire abstract; a hash of the user's password, column(s) 10, line(s) 62 through column(s) 11, line(s) 13); authenticating the call request message by performing a second authentication process based on the username and password associated with the device to generate a second authentication result and comparing the second authentication result to the first authentication result (i.e., the global server uses the user's password, hash of the user's password or user's public keys to verify the identity of the user, column(s) 10, line(s) 62 through column(s) 11, line(s) 13) for the purpose of securing access to services in a computer network (column(s) 1, line(s) 25-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Riggins into the teachings of D'Amico for the purpose mentioned above.

D'Amico in view of Riggins does not teach inserting the client billing tag into the call request message; and transmitting the call request message to the gateway.

Faccinn teaches inserting the client billing tag into the call request message; and transmitting the call request message to the gateway (the use of call ID for charging coordination; paragraph(s) 0023-0026, 0064, 0096, and 0097).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Faccinn into the teachings of D'Amico in view of Riggins for the purpose of billing IP based telephone call.

Consider claims 6-8, 12-14, and 34-35. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

6. Claims 15-17, 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over the grounds of rejection as applied to claims 1, 61 above, and further in view of Innes (6,687,743) or Hesselink et al (6,499,054) or Eastman (6,907,032).

Consider claims 15-17, 64. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col.

Art Unit: 2617

9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach adding a header to the call request message, the header including a server id; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected. D'Amico further teaches the idea that the billing tag identifies the authentic originating client as a party responsible for paying for the call in column 27 line 57 through column 29 line 45. First, see specifically column 27 lines 58-61, where it is explained that the identity of the calling party must be known to the subject of the system in order for the calling party to be charged for the call. The system then checks the VIP table (i.e. searching the database to find a predetermined client billing tag). If the client is not listed in the VIP table, and since the identity of the caller must be known, the originating client is then notified to be the party responsible for paying for the call.

Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not

Art Unit: 2617

detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Hesselink teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (see figure(s) 2, source ID; column(s) 5, line(s) 4-46) for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Eastman teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (originating_server_ID; column(s) 10, line(s) 8 through column(s) 13, line(s) 22) for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Innes or Hesselink or Eastman into the teachings of D'Amico in view of Riggins for the purpose mentioned above.

7. Claims 30, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over the grounds of rejection as applied to claims 28, 31 above, and further in view of Fletcher et al (H1897).

Consider claim 30, 33. D'Amico in view of Riggins and Faccinn does not teach transmitting at least one call statistic to a network management system.

Fletcher teaches transmitting at least one call statistic to a network management system (col. 2, ln. 11-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Fletcher into the teachings of D'Amico in view of Riggins and Faccinn in order to provide operations and maintenance functions, both radio and switch related, using one system. This reduces overall system costs and increases.

8. Claims 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Innes (6,687,743) or Hesselink et al (6,499,054) or Eastman (6,907,032), in further view of Faccinn et al. (US 2002/0127995).

Consider claims 38-42. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach adding a header to the call request message, the header including a server id; and transmitting the call request message to

the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected.

Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Hesselink teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (see figure(s). 2, source ID; column(s) 5, line(s) 4-46) for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Eastman teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (originating_server_ID; column(s) 10, line(s) 8 through column(s) 13, line(s) 22) for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Innes or Hesselink or Eastman into the teachings of D'Amico in view of Riggins for the purpose mentioned above. However, Innes, Hesselink, and Eastman do not specifically teach the SIP protocol and receiving a SIP call request message.

Faccinn teaches a billing method and system which uses the SIP protocol and receiving a SIP call request message in paragraph 24.

Therefore it would have been obvious for one of ordinary skill in the art at the time of invention to utilize the SIP protocol with call request messages of Faccinn with the teachings of D'Amico, Riggins, and Innes or Hesselink or Eastman. The motivation for doing so would have been to allow for joint billing for GPRS services and IP telephony services (Faccinn par. 14).

9. Claims 66-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Innes (6,687,743).

Consider claims 66-68. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and

the call is nor authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach adding a header to the call request message, the header including a server id; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected.

Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Innes into the teachings of D'Amico for the purpose mentioned above.

10. Claims 43-44, 47-51, 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Jordan (US 2001/0050984A1) and Hluchyj et al (6,282,193).

Consider claims 43, 50-51, 79. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call

request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). Jordan teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself (page(s) 3, ¶ 0035 through page(s) 5, ¶ 0052, table 1) for the purpose of preventing clip on fraud using telephone authentication (page(s) 1, ¶ 0002). D'Amico further teaches the idea that the billing tag identifies the authentic originating client as a party responsible for paying for the call in column 27 line 57 through column 29 line 45. First, see specifically column 27 lines 58-61, where it is explained that the identity of the calling party must be known to the subject of the system in order for the calling party to be charged for the call. The system then checks the VIP table (i.e. searching the database to find a predetermined client billing tag). If the client is not listed in the VIP table, and since the identity of the caller must be known, the originating client is then notified to be the party responsible for paying for the call.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Jordan into the teachings of D'Amico for the purpose mentioned above.

D'Amico in view of Jordan does not teach a SIP server.

Hluchyj teaches the use of packet network server that reads on the SIP server (col. 3, ln. 58 to col. 4, ln. 67; col. 6, ln. 50-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Hluchyj into the teachings of D'Amico in view of Jordan in order to reduce long distance or toll charge to the subscribers.

Consider claim 44. D'Amico further teaches the server transmits the call request message to the gateway if the client billing tag is obtained, and does not transmit the call request message to the gateway if the client billing tag cannot be obtained (col. 30, ln. 45 to col. 31, ln. 21).

Consider claim 47. D'Amico's col. 28, ln. 1-16 reads on the limitations of this claim.

Consider claims 48-49. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

11. Claims 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over the grounds of rejection as applied to claim 43 above, and further in view of Faccinn et al (US2002/0127995).

Consider claim 45. D'Amico in view of Jordan and Hluchyj does not teach inserting the client billing tag into the call request message; and transmitting the call request message to the gateway.

Faccinn teaches inserting the client billing tag into the call request message; and transmitting the call request message to the gateway (the use of call ID for charging coordination; paragraph(s) 0023-0026, 0064, 0096, and 0097).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Faccinn into the teachings of D'Amico in view of Riggins and Hluchyj for the purpose of billing IP based telephone call.

Consider claim 46. D'Amico's col. 28, ln. 48-60 reads on the limitations of this claim.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2617

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

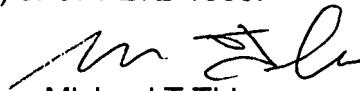
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael T. Thier whose telephone number is (571) 272-2832. The examiner can normally be reached on Monday thru Friday 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



DUC M. NGUYEN
SUPERVISORY PRIMARY EXAMINER
TECHNOLOGY CENTER 2600



Michael T Thier
Examiner
Art Unit 2617
5/9/2007